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Attorneys for Defendant KPMG LLP

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
KYLE PIPPINS and JAMIE SCHINDLER, Individually :
and On Behalf of All Others Similarly Situated, :
:
Plaintiffs, : **11 CV 0377 (CM)**
:
-against- : **NOTICE OF MOTION TO**
:
KPMG LLP, : **TRANSFER OR, IN THE**
:
Defendant. : **ALTERNATIVE, STAY**
:
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PLEASE TAKE NOTICE that, upon the accompanying Declaration of Eric G. Hoffman, Esq., dated February 15, 2011, and the accompanying exhibits thereto; the accompanying Memorandum of Law in Support of Defendant's Motion to Transfer or, in the Alternative, Stay This Action, dated February 15, 2011; and the pleadings and all proceedings in this action, defendant KPMG LLP will move the Court before the Honorable Colleen McMahon at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, at a date and time to be determined by the Court, for an order, pursuant to the "first-filed" rule, transferring this action to the Central District of California for consolidated or coordinated proceedings with *In re KPMG Overtime Litigation*, No. 07-04396-RSQL-CW, or else staying this action until such time as the court in *In re KPMG Overtime Litigation* decides

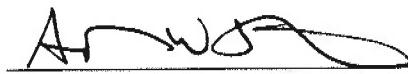
whether notices should be sent out to the putative opt-in FLSA "class" in that action, and for such other and further relief as the Court deems proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's oral order of February 10, 2011, plaintiff's answering papers, if any, shall be served upon the undersigned on or before February 22, 2011.

Dated: New York, New York
February 15, 2011

SIDLEY AUSTIN LLP

By:


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